

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DONTAY BREWER,

Petitioner,

v.

SUPERINTENDENT, SCI COAL
TOWNSHIP, et al.,

Respondents.

CIVIL ACTION
NO. 15-5078

ORDER

AND NOW, this 12th day of August 2016, upon consideration of Petitioner's Petition for Writ of Habeas Corpus (Doc. No. 1), the Response in Opposition to the Petition for Writ of Habeas Corpus (Doc. No. 9), Petitioner's Reply to the Response (Doc. No. 11), Magistrate Judge Marilyn Heffley's Report and Recommendation (Doc. No. 16), Petitioner's Objection to the Report and Recommendation (Doc. No. 17), Petitioner's Motion to Supplement his Objections (Doc. No. 19), Petitioner's Motion to Stay and Abey Disposition of the Petition (Doc. No. 12), the Response in Opposition to the Motion to Stay and Abey (Doc. No. 14), Petitioner's Reply to the Opposition to Stay and Abey (Doc. No. 15), and the pertinent state court record, and in accordance with the Opinion of the Court issued this day, it is hereby **ORDERED** that:

1. The Report and Recommendation (Doc. No. 16) is **APPROVED** and **ADOPTED**.
2. The Petition for a Writ of Habeas Corpus (Doc. No. 1) is **DENIED**.
3. The Motion to Stay and Abey (Doc. No. 12) is **DENIED**.
4. A certificate of appealability **SHALL NOT** issue, in that the Petitioner has not made a substantial showing of the denial of a constitutional right nor demonstrated that

reasonable jurists would debate the correctness of this ruling. See 28 U.S.C. § 2253(c)(2); Slack v. McDaniel, 529 U.S. 473 (2000).

5. The Clerk of Court shall mark this case **CLOSED** for statistical purposes.

BY THE COURT:

/s/ Joel H. Slomsky
JOEL H. SLOMSKY, J.